

MOTION BY SUPERVISOR DON KNABE

February 21, 2012

On December 12, 2011, the California Supreme Court ruled that under current law a juvenile offender adjudicated for a serious sex offense as described in Penal Code section 290.008(c) cannot be committed to the State Division of Juvenile Facilities (DJF) unless the offender also has a current or prior serious or violent offense as defined in Welfare and Institutions Code 707(b). The Court's ruling means that juveniles who commit certain serious sex offenses must remain in county facilities and that certain juvenile sex offenders currently housed at DJF can petition to be returned to the committing county to serve the remainder of their sentence in a county-operated facility.

The Probation Department indicates that there are currently up to ten juvenile sex offenders from Los Angeles County housed at DJF fitting these criteria who could petition to be returned to the County to serve their sentence. In addition, there is approximately three to four juvenile sex offenders adjudicated annually in Los Angeles County that would have to remain in local custody as a result of the Court's ruling.

This population has committed serious sex offenses and requires specialized housing and an intensive level of supervision and treatment. The Probation Department indicates that there are limited housing options for these offenders and it would be extremely difficult to integrate these youth into the existing population housed at County facilities.

- M O R E -

MOTION

MOLINA _____

RIDLEY-THOMAS _____

KNABE _____

ANTONOVICH _____

YAROSLAVSKY _____

AB 324 (Buchanan), introduced on January 31, 2012 as urgency legislation, would address this issue and stipulate that juveniles adjudicated for serious sex offenses described in Penal Code section 290.008(c) may be committed to the DJF. In addition, the legislation would allow counties to contract with the State to house any juvenile sex offenders currently in DJF who are eligible to be returned to their committing county before the legislation is enacted.

AB 324 will protect public safety and ensure that serious juvenile sex offenders remain under the jurisdiction of the State Division of Juvenile Facilities which is better equipped, in terms of facilities, supervision and treatment, to house this population of juvenile sex offenders.

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer and the County's Sacramento advocates to support AB 324.

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